

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

FREDRICK JONES,	:	MANDAMUS
X0456539,	:	28 U.S.C. § 1651
Petitioner,	:	
	:	
v.	:	CIVIL ACTION NO.
	:	1:17-CV-963-TWT-CMS
UNNAMED RESPONDENT,	:	
Respondent.	:	

## **FINAL REPORT AND RECOMMENDATION**

Last month, DeKalb County Jail pretrial detainee Fredrick Jones submitted a one-page letter addressed to “Dear Federal Courts.” *See* [1]. Jones, who is under indictment for felony murder and aggravated assault, has requested that this Court “get [him] in the courts of law to answer the charges against [him]” and provide “help and closure for the charges pending against [him] to be handled lawfully.” *Id.* at 1. Jones did not, however, pay the fees required to initiate a new case or, in the alternative, seek permission to proceed *in forma pauperis* (“IFP”).

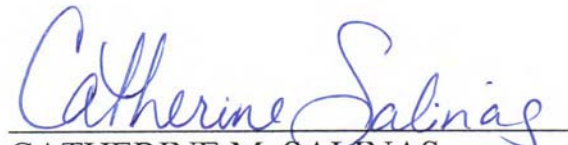
Because Jones has “requested that the district court issue what amounts to a writ of mandamus,” *Bailey v. Silberman*, 226 F. App’x 922, 924 (11th Cir. 2007), I **DIRECT** the Clerk to recategorize Jones’s letter as a prisoner petition for a writ of mandamus, *see* 28 U.S.C. § 1651.

And, because “[f]ederal courts have no jurisdiction to issue writs of mandamus directing a state court and its judicial officers in the performance of their duties where mandamus is the only relief sought,” *Bailey*, 226 F. App’x at 924, I **RECOMMEND** that this case be **DISMISSED WITHOUT PREJUDICE** and a Certificate of Appealability be **DENIED**.

Solely for the purpose of dismissal, I **GRANT** Jones permission to proceed IFP. If Jones files Objections to this Final Report and Recommendation, I **ORDER** him either to (1) pay the \$400 due in case initiation fees or (2) submit a complete IFP application, with all required signatures, certifications, and attachments. *See* 28 U.S.C. § 1915(a).

I **DIRECT** the Clerk to mail to Jones one copy of this Court’s IFP application form and to terminate the referral of this case to me.

**SO RECOMMENDED, ORDERED, AND DIRECTED**, this 10th day of April, 2017.

  
CATHERINE M. SALINAS  
UNITED STATES MAGISTRATE JUDGE